Government of Kerala
1984

Reg. No. KL/TV(N)/12



KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXIX] Trivandrum, Thursday, 12th July 1984 / 21st Ashadha 1906 [No. 584

GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

No. 14238/84/E2/LBR. *Dated, Trivandrum, 12th July, 1984.*

S. R. O. No. 764/84.—In exercise of the powers conferred by sub-section (1) of section 13 of the Kerala Headload Workers Act, 1978 (20 of 1980), the Government of Kerala hereby propose to make the following further amendment to the Kerala Headload Workers (Regulation of Employment and Welfare) Scheme, 1983, issued as per Notification No. 14795/E2/81/LBR dated the 30th November, 1983 and published as S. R. O. No. 1682/83 in the Kerala Gazette Extraordinary No. 1435 dated the 30th November, 1983;

Notice is hereby given that the above proposals will be taken up for consideration on or after the 12th August, 1984, and that any objections and suggestions that may be received from any person with respect to the said amendment proposal on or before the said date will be considered by the Government. All objections and suggestions, if any, shall be addressed to the Commissioner and Secretary to Government, Labour (E) Department, Government Secretariat, Trivandrum-1.

83/2891/MC.

AMENDMENT

In the Kerala Headload Workers (Regulation of Employment and Welfare) Scheme, 1983, for paragraph 29, the following shall be substituted, namely:—

"29. The Committee shall collect a levy, for the administration of the Scheme and the matters related thereto, from the employers and the headload workers respectively at the rate of 15% and 10% of the wages actually payable by the employer to the registered headload worker".

By order of the Governor,

U. Mahabala Rao,
Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the Notification but is intended to indicate its general purport).

Government in notification No. 14795|E2|81|LBR dated 30-11-1983 published the Kerala Headload Workers (Regulation of Employment and Welfare) Scheme 1983. As per section 29 in Chapter VIII of the above scheme the Committee shall collect a levy from the employers for the administration of the scheme and matters related thereto at the rate of 30% of the wage actually payable by the employer to the registered headload workers. It has been now decided by the Government that the levy should be collected from the employers as well as from the headload workers at the rates of 15% and 10% respectively of the wage actually payable by the employer to the registered headload workers.

This notification is intended to achieve the above object.

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KERALA GAZETTE

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GOVERNMENT OF KERALA

Transport, Fisheries and Ports (Transport-B) Department

NOTIFICATION

G. O. (P) No. 49|84|TF & PD. *Dated, Trivandrum, 12th July, 1984.*

S. R. O. No. 766|84.—In exercise of the powers conferred by sub-sections (1) and (2) of section 44 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), read with rule 148 of the Kerala Motor Vehicles Rules, 1961, the Government of Kerala hereby appoint Shri Xavier S. Kandathil, Kandathil House, Near Boat Jetty, Quilon and Shri K. J. Rappai, Kandanattu House, Paravattani, Trichur, as non-official members of the Regional Transport Authority, Quilon and Regional Transport Authority, Trichur, respectively in addition to the non-official members appointed as per Notification No. G. O. (P) 11|83/TF & P dated the 26th February, 1983, published as S. R. O. No. 253/83 in the Kerala Gazette Extraordinary No. 229 dated the 28th February, 1983, as subsequently amended, and accordingly make the following amendments to the said Notification, namely:—

GPT. 33/2912/MC.

AMENDMENTS

In the Schedule to the said Notification,

(1) in the entries in column (3) relating to the Quilon Regional Transport Authority, after item No. 7, the following item shall be inserted, namely:—

"8. Shri Xaxier S. Kandathil,
Kandathil House,
Near Boat Jetty,
Quilon".

(2) in the entries in column (3) relating to the Trichur Regional Transport Authority, after item No. 7, the following item shall be inserted, namely:—

"8. Shri K. J. Rappai,
Kandanatt House,
Paravattani,
Trichur 5".

By order of the Governor,

V. A. AUGUSTINE,
Additional Secretary to Government.

Explanatory Note

(This is not part of the Notification, but is to bring out its main purport).

Government have now decided to increase the number of Non-official members, in respect of the Regional Transport Authority, Quilon; and the Regional Transport Authority; Trichur; from the existing 7 members to 8 in each. Hence, this Notification.

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GOVERNMENT OF KERALA

Agriculture (NCA) Department

NOTIFICATION

G. O. (P) No. 198/84/AD. *Dated, Trivandrum, 7th July, 1984.*

S. R. O. No. 765/84.—In exercise of the powers conferred by sub-section (1) of section 18 of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933), read with sub-section (1) of section 9 thereof, the Government of Kerala hereby make the following rules, the same having been previously published as required by sub-section (4) of section 18 of the said Act, under notification G. O. (P) No. 47/84/AD dated the 14th February, 1984 in the Kerala Gazette Extraordinary No. 147 dated the 24th February, 1984, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Madras Commercial Crops Market Committee Employees' Death-cum-Retirement Benefits Rules, 1984.

(2) They shall come into force at once.

33/2892/MC.

2. *Definitions.*—In these rules, unless the context otherwise requires,—

(a) "Market Committee Pension Fund" means the Market Committee Pension Fund constituted under rule 6;

(b) "Chairman" means the Chairman of the Market Committee;

(c) "Market Committee" means a Committee established under sub-section (1) of section 4A of the Madras Commercial Crops Markets Act, 1933 (Madras Act XX of 1933);

(d) "Employee" means a full-time employee in the regular establishment of the Market Committee;

(e) "Secretary" means the Secretary of the Market Committee.

3. *Applicability.*—Notwithstanding anything contained in any other rule for the time being in force, these rules shall apply to all employees of the Market Committee including the Secretary:

Provided that, employees who were in service on the 1st day of January, 1973, shall be given a right of option, which shall be communicated in writing to the Secretary of the Committee, within a period of three months from the date of commencement of these rules, either to continue under the existing system of retirement benefits admissible or to come over to the Pension Scheme under these rules:

Provided further that in the case of the Secretary, the option shall be communicated to the Chairman.

4. *Death-cum-retirement benefits.*—The provisions in Part III of the Kerala Service Rules, as amended from time to time, shall apply *mutatis mutandis* to an employee governed by the Pension Scheme under these rules in the matter of death-cum-retirement benefits. If on the death or on retirement on or after the 1st day of January, 1973, of an employee to whom these rules are applicable any amount has been paid by way of contribution by the Market Committee under the Madras Commercial Crops Market Committee Provident Fund Rules, 1948, such amount shall be adjusted from the benefits admissible to such employee under these rules.

5. *Liability of Market Committees.*—The Market Committee shall meet the entire financial commitment arising from the introduction of the Pension Scheme.

6. *Market Committee Pension Fund.*—The Market Committee shall constitute a fund called "the Market Committee Pension Fund" and all expenditure to be incurred by the Market Committee in respect of death-cum-retirement benefits of the employees under these rules, shall be defrayed out of the said fund. All amounts paid by the Market Committee towards the Market Committee Pension Fund shall be lodged in the Government Treasury Savings Scheme.

7. *Administration of the Market Committee Pension Fund.*—(1) The Provident Fund Accounts of every employee maintained by the Committee under the existing Madras Commercial Crops Market Committees Provident Fund Rules, 1948, who opt to the Pension Scheme under these rules, shall be closed as on the 31st day of December, 1972. The Contribution portion of the existing provident Fund together with the interest thereon shall be transferred to the Market Committee Pension Fund constituted under rule 6. The subscription portion of the amount in the existing Provident Fund, with interest thereon, shall be kept under a separate Provident Fund Account, to be established by the Market Committee.

(2) (a) The Pension contribution for the period upto 31st December, 1972, in respect of all the employees who have opted to come over to the Pension Scheme under these rules, shall be calculated at 1/6th of their pay plus dearness pay from time to time. The difference between the amount so calculated and the contribution portion of the Provident Fund together with interest thereon which is transferred to the Market Committee Pension Fund under sub-rule (1), shall be paid by the Market Committee to the Market Committee Pension Fund in easy annual instalments not exceeding 20, as may be decided by the Market Committee. The pension contribution due from the 1st January, 1973, till the date of commencement of these rules, shall be credited in lump forthwith to the Market Committee Pension Fund.

(b) Pension contribution after the date of commencement of these rules in respect of the employees, eligible for pension under these rules shall be adjusted monthly, on or before the 10th of the succeeding month, to the credit of the Market Committee Pension Fund.

(3) The surplus, if any, in the Market Committee Pension Fund which may not be required for immediate disbursement shall be invested in fixed deposits in the Treasury Savings Scheme or in any Nationalised Bank. The interest accrued on such investments shall be credited to the Market Committee Pension Fund.

(4) The Market Committee Pension Fund shall not be used for any purpose, other than those specified in these rules, except with the sanction of the Government.

(5) The expenditure from the Market Committee Pension Fund shall be charged under the Pension Fund of the Market Committee accounts.

(6) The accounts relating to the Market Committee Pension Fund shall be audited by the Examiner of Local Fund Accounts. The accounts and registers shall be maintained in such forms, as may be specified by the Examiner of Local Fund Accounts.

8. *Procedure relating to payment of pension.*—(1) The Pension papers of the retiring employees shall be prepared in such forms and in accordance with such provisions contained in Part III of the Kerala Service Rules, within one year before the date of retirement and shall be forwarded to the Examiner of Local Fund Accounts with all relevant documents. After verification, the Examiner of Local Fund Accounts shall, report the amount of pension and gratuity admissible to the retiring employee and transmit the papers to the Market Committee for according sanction for payment of pension and gratuity. The amounts of pension and gratuity so sanctioned, shall be drawn and disbursed to the pensioners by the Secretary.

(2) The procedure relating to payment of pension and gratuity, as laid down in the Kerala Treasury Rules and the Kerala Financial Code, shall be followed by the Secretary. His duties in regard to payment of pension will be analogous to that of a Treasury Officer entrusted with the disbursement of retirement claims. The forms and registers used in the Government Treasury for transactions relating to pension and gratuity shall be used for the purposes of these rules.

9. *Removal of difficulties.*—If any doubt or difficulty arises in the interpretation or implementation of these rules, the question shall be referred to Government, whose decision thereon shall be final.

By order of the Governor,
N. CHANDRASEKHARAN NAIR,
Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The employees of the Malabar Market Committee are not entitled to any pension benefits till now. On the request of the employees of the Malabar Market Committee to introduce a pension scheme to them, the question was examined and the Government of Kerala have decided to introduce pension scheme to the employees of the Malabar Market Committee. This notification is intended for the above purpose.

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83/2892/MC.